

THOMAS DAVID HUGHES,
Plaintiff,
v.
CHRISTOPHER WARD, et. al.,
Defendants.

THIS MATTER is before the Court on Defendants' Motion for an Order Authorizing Them to Produce Materials Protected by Statute in Discovery. [Doc. 25]. Defendants seek authorization from the Court to disclose certain materials sought by the Plaintiff in discovery that are protected from disclosure pursuant to North Carolina law. The Court finds as follows:

1. Plaintiff seeks the production through discovery of video recordings from security cameras inside the Watauga County Detention Center of the March 18, 2020 incident giving rise to the Plaintiff's Complaint. These recordings are confidential pursuant to N.C. Gen. Stat. § 132.1-4A. These recordings, however, may be released or disclosed by order of a court of competent jurisdiction pursuant to N.C. Gen. Stat. § 132-1.4A(g).

2. Further, Plaintiff seeks the disclosure, through discovery, of “All written statements, videos, originals or copies, identifiable as reports about the incident on or about March 18, 2020, on or about the hour 7:30.” These records are not public records as defined by N.C.G.S. § 132-1, but they may also be released by order of a court of competent jurisdiction pursuant to N.C.G.S. § 132-1.4.

The Defendants and/or the Sheriff of Watauga County, therefore, seek an order from this Court authorizing them to disclose the above materials, particularly in compliance with the relevant authorities.

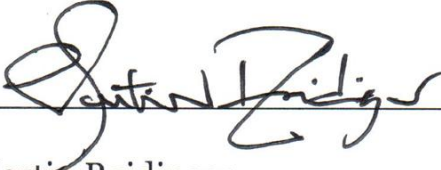
IT IS THEREFORE ORDERED that In accordance with N.C. Gen. Stat. § 132.1-4A(g), the Sheriff of Watauga County and/or the Defendants in their official capacities are authorized to disclose through discovery video recordings from security cameras inside the Watauga County Detention Center of the March 18, 2020 incident giving rise to the Plaintiff’s Complaint.

IT IS FURTHER ORDERED THAT In accordance with N.C. Gen. Stat. § 132.1-4, the Sheriff of Watauga County and/or the Defendants in their official capacities are authorized to disclose through discovery criminal or other investigative reports or information pertaining to the March 18, 2020 incident giving rise to the Plaintiff’s Complaint filed in this matter.

IT IS FURTHER ORDERED THAT Counsel for the Defendants shall be allowed to redact from said criminal or other investigative reports or information any Social Security Numbers, birth dates, home addresses, and other Personally Identifiable Information (PII).

IT IS SO ORDERED.

Signed: January 6, 2021



Martin Reidinger
Chief United States District Judge

